

JUL 11 2006

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## **FACSIMILE COVER SHEET**

**Deliver to:** Guill, Russell L., USPTO

Art Group: 2123

Facsimile No.: (571) 273-8300

Date: July 11, 2006

**From:** Gordon R. Lindeen III, Reg. No. 33,192

Our Docket No.: 42390P10728

Number of pages \_\_\_\_\_ including this sheet.

Application No.: 10/004,196

Filing Date: 11/14/2001

**Enclosed are the following documents:**

- Amendment: \_\_\_\_\_ Response \_\_\_\_\_ ( \_\_\_\_ pgs)
  - Appeal Brief ( \_\_\_\_ pgs)
  - Application: \_\_\_\_\_ ( \_\_\_\_ pgs) w/cover & abstract)
  - Assignment & Cover Sheet ( \_\_\_\_ pgs)
  - Certificate of Facsimile \_\_\_\_\_
  - Continued Prosecution Application (CPA)
  - Declaration & POA ( \_\_\_\_ pgs)
  - Drawings: \_\_\_\_ sheets, \_\_\_\_ figures
  - Extension of Time: \_\_\_\_\_
  - Fee Transmittal (in duplicate)
  - IDS & PTO/SB/08 ( , pgs)
  - Other \_\_\_\_\_

- Issue Fee Transmittal
  - Notice of Appeal
  - Petition for: \_\_\_\_\_
  - Request for Continued Examination (RCE)
  - Reply Brief ( \_\_\_\_pgs)
  - Request & Certification Under 35 USC 122(b)(2)(B)(i)
  - Request to Rescind Previous Nonpublication Request
  - Response to Notice of Missing Parts & Formalities Letter
  - Response to Written Opinion ( \_\_\_\_pgs)
  - Terminal Disclaimer
  - Transmittal of Publication Fee Due
  - Transmittal Letter

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Debbie Casias  
*Debbie Casias*

7/11/2006

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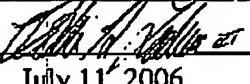
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|---|----|------------------------|-------------------|
| <b>TRANSMITTAL FORM</b>   |    | Application No.        | 10/004,196        |
| <i>(to be used for all correspondence after initial filing)</i> |    | Filing Date            | November 14, 2001 |
|   |    | First Named Inventor   | Jose Fernandez    |
|   |    | Art Unit               | 2123              |
|   |    | Examiner Name          | Guill, Russell L. |
| Total Number of Pages in This Submission                        | 16 | Attorney Docket Number | 42390P10728       |

| ENCLOSURES <i>(check all that apply)</i>  |  |  |
|---|--|--|
| <input type="checkbox"/> Fee Transmittal Form<br><br><input type="checkbox"/> Fee Attached<br><br><input checked="" type="checkbox"/> Amendment / Response <ul style="list-style-type: none"> <li><input type="checkbox"/> After Final</li> <li><input type="checkbox"/> Affidavits/declaration(s)</li> </ul><br><input type="checkbox"/> Extension of Time Request<br><br><input type="checkbox"/> Express Abandonment Request<br><br><input type="checkbox"/> Information Disclosure Statement<br><br><input type="checkbox"/> PTO/SB/08<br><br><input type="checkbox"/> Certified Copy of Priority Document(s)<br><br><input type="checkbox"/> Response to Missing Parts/ Incomplete Application <ul style="list-style-type: none"> <li><input type="checkbox"/> Basic Filing Fee</li> <li><input type="checkbox"/> Declaration/POA</li> </ul><br><input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53 | <input type="checkbox"/> Drawing(s)<br><br><input type="checkbox"/> Licensing-related Papers<br><br><input type="checkbox"/> Petition<br><br><input type="checkbox"/> Petition to Convert a Provisional Application<br><br><input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address<br><br><input type="checkbox"/> Terminal Disclaimer<br><br><input type="checkbox"/> Request for Refund<br><br><input type="checkbox"/> CD, Number of CD(s) <ul style="list-style-type: none"> <li><input type="checkbox"/> Landscape Table on CD</li> </ul> | <input type="checkbox"/> After Allowance Communication to TC<br><br><input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences<br><br><input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)<br><br><input type="checkbox"/> Proprietary Information<br><br><input type="checkbox"/> Status Letter<br><br><input type="checkbox"/> Other Enclosure(s) <i>(please identify below):</i><br><br><div style="border: 1px solid black; height: 40px; width: 100%;"></div> |
| Remarks   |  |  |

| SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT |  |
|--|--|
| Firm or Individual name                    | Gordon R. Lindeen III, Reg. No. 33,192<br><br>BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP |
| Signature                                  |   |
| Date                                       | July 11, 2006  |

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| I hereby certify that this correspondence is being deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450. |   |      |               |
| Typed or printed name  | Debbie Casias   |      |               |
| Signature  |  | Date | July 11, 2006 |

Based on PTO/SB/21 (09-04) as modified by Blakely, Sokoloff, Taylor & Zafman (wir) 1/30/2005.  
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Our Docket No: 42390P10728

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

|                                     |   |                             |
|-------------------------------------|---|-----------------------------|
| In re Application of:               | ) |                             |
|                                     | ) |                             |
| Jose Fernandez                      | ) | Examiner: Guill, Russell L. |
|                                     | ) |                             |
| Application No: 10/004,196          | ) | Art Unit: 2123              |
|                                     | ) |                             |
| Filed: November 14, 2001            | ) |                             |
|                                     | ) |                             |
| For: Generic Persistence Engine and | ) |                             |
| Related Methods                     | ) |                             |
|                                     | ) |                             |

RESPONSE TO OFFICE ACTION

Mail Stop Amendment  
Commissioner for Patents  
P.O Box 1450  
Alexandria, VA 22313-1450

Sir:

In response to the Office Action mailed May 11, 2006, Applicant respectfully requests the Examiner to enter the following amendment and to consider the following remark.

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Date of Transmission July 11, 2006

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Attorney Docket No. 42390P10728  
Application No. 10/004,196